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POLYGRAPHED
2024 DEC -6 AM 11:14
[Redacted]

Copy to: FTX Trading Ltd. Claims Processing Centre
c/o Kroll Restructuring Administration LLC
850 3rd Avenue, Suite 412
Brooklyn, NY 11232
ftxnoticing@kroll.com

Response to Objection to

Case Name: In re FTX Trading Ltd., et al.,

Debtor Case No.: 22-11068, U.S. Bankruptcy District Court for the District of Delaware

Comes now, Mrs Cally Mottishaw, Creditor, as a litigant in person (pro se), and hereby objects to Motion/Plan, (Exhibit SM1 attached) filed by The Debtors on 22nd November 2024 (the "Motion/Plan").

My unique FTX Customer Reference: [REDACTED]

My original FTX Customer Main Account Number: [REDACTED]

Grounds for Objection

Valid and Legitimate Claim: My Claim is a valid and legitimate claim against the Debtors. I was a customer of FTX and held an amount exceeding £100,000 in cryptocurrency and other assets on the FTX platform at the time of the bankruptcy filing. This constitutes a pre-petition debt owed by the Debtor to myself.

Sufficient Evidence: The Claim is supported by sufficient evidence, including evidence of a number of deposits of cryptocurrency into the account, emails and historical account transactional information generally. This documentation clearly demonstrates the existence and validity of the debt owed to me. I have fully engaged with the process throughout and have received correspondence both acknowledging my claim as it has processed through the unverified claims route.

KYC Compliance: I aver that the Debtor should be satisfied of my identity and should be able to ensure compliance with legal and regulatory requirements by reviewing and accepting the documentation provided via email. Any further KYC requests by the Debtor are unreasonable and unduly burdensome.

Improper Disallowance: The Debtor's attempt to disallow and expunge this Claim if not verified by 1st March 2025 is improper and lacks a valid basis. The Debtor has not provided any legitimate reason to challenge the validity of my Claim.

Due Process Violation: Disallowing and expunging the Claim without a proper hearing and opportunity to present evidence would violate my rights and due process rights.

The Motion/Plan is not proposed in good faith.

The Motion/Plan is not feasible.

The Motion/Plan unfairly discriminates against Creditors who were unable to file their Claims on the FTX Customer Claims Portal due to either authentication, system or security/access issues due to an inability of the Kroll to either reset or provide working login details in Claims for Creditors who had either forgotten their original FTX logins, had changed their telephone number originally used by FTX for 2-factor authentication or had other technical issues with logging into, uploading or accessing the Claims Portal.

The Motion/Plan should treat similarly situated creditors equally but instead Creditors who did/do not have working, operational login credentials for the FTX Customer Claims Portal lack the assurances that their verification will be completed before the date set of 1st March.

The Motion/Plan also causes unverified claims such as my own to suffer what is not foreseen as indeterminate delays for their distribution of monies due in February/March 2025 on account of the failure of KYC/Verification process for myself or such as has been my experience to date.

The Motion/Plan unfairly discriminates against myself, given I have tried to commence the KYC Submission Process, duly submitting all documents but the ostensible representatives of the Administrators, who send emails originating from kyc-support@ftx.com have failed to process, accept my documents, either by not responding to emails, not reading or processing my documentation and evidence of my financials, source of wealth and identification documents.

I am now exposed to the risk of my Claim being disallowed and expunged if this Notice of Objection is approved by the Court at the Hearing on January 23rd 2025. I duly serve this Notice of Objection by international registered post prior to the deadline set of December 18th 2024.

It is manifestly unreasonable, and procedurally unfair for a Creditor such as myself to face the risk of their Claim being rejected due to the negligence, lack of administrative resources or failings of the KYC Support Team in diligently and expeditiously processing my manual verification of KYC.

I was unable to use the FTX Customer Claims Portal as had difficulties logging in, and issues with authentication. I was forced to not only submit my claim outside of the Portal but also participate in the KYC Process by facilitating, preparing, collating and serving evidence of my identity, source of wealth and financial circumstances by e-mail to kyc-support@ftx.com.

This Response to the Object is filed protectively so as to prevent and reduce my risk of suffering serious financial harm due to the Debtors nominated entity dealing with KYC Verification continuing to delay, obfuscate and frustrate my attempts made in good faith to complete the process.

The Motion/Plan does not provide adequate protection for my interests for the reasons set out.

Relief Requested

WHEREFORE, PREMISES CONSIDERED, Mrs Cally Mottishaw, respectfully requests that the Court:

Sustain this Objection.

Deny the Motion/Plan.

Sustain this Objection.

Deny the Debtor's Motion to Disallow and Expunge my Claim.

Allow the Claim in its entirety of the assets held in FTX at the time they ceased trading and went into these Chapter 11 Proceedings.

Order the debtor to provide more information, as to why they have failed to allocate resources to the processing of my data, documents and information in furtherance of completion of the KYC process and to Order the debtor to provide an undertaking and guarantee, that my Claim will not be expunged or disallowed.

Order the Debtor to expedite the processing and acceptance of my KYC submission, weighing the debtor's need to conduct reasonable KYC against my right as a creditor to receive a distribution.

Order the debtor to mark my claim as verified and proceed with distribution alongside the other verified claims of Debtors.

Grant such other and further relief as the Court deems just and equitable.

Dated: 5th December 2024

Respectfully submitted,

Mrs Cally Mottishaw

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